

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHNNY B. DELASHAW, JR.,

Plaintiff,

v.

SEATTLE TIMES COMPANY, and
CHARLES COBBS,

Defendants.

CASE NO. 2:18-cv-00537-JLR

AND ORDER

STIPULATED MOTIONS IN LIMINE

**NOTED ON MOTION CALENDAR:
August 7, 2020**

STIPULATED MOTIONS IN LIMINE [2:18-cv-00537-JLR]

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1 Plaintiff Johnny Delashaw, Defendant Charles Cobbs, and Defendant The Seattle Times
2 hereby jointly move *in limine* for entry of the following described orders. Pursuant to LCR
3 7(d)(4), the undersigned counsel certify that they conducted telephonic conferences with each
4 other on July 16 and July 20, 2020.

5 **I. STIPULATED MOTIONS IN LIMINE**

6 **A. The Seattle Times' Insurance Coverage.**

7 The Seattle Times is being defended and indemnified in this case pursuant to its insurance
8 policies. Delashaw should not be permitted to raise the issue of insurance coverage before the
9 jury, imply that The Seattle Times has no responsibility for any damages award, or that The
10 Seattle Times has deep pockets that can absorb and pay damages.¹

11 **B. Testimony Regarding Causation from Neal Beaton.**

12 Delashaw's damages expert stated in his deposition that he would not be testifying at trial
13 as to what caused Delashaw's alleged damages. The Court should prohibit Beaton from offering
14 any such testimony.

15 **C. Exhibits Not Admitted or Permitted by the Court.**

16 The parties move to exclude display of an exhibit to the jury unless they have either been
17 disclosed in Pretrial Statements and properly admitted into evidence or the Court's permission to
18 display it has been granted.

19 **D. Reference to Motions in Limine.**

20 The parties move that (1) all parties be prohibited from making any reference to the
21 motions in limine filed in this case and (2) all parties instruct their witnesses on the Court's in
22 limine rulings.

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25 ¹ See *Ossur Holdings, Inc. v. Bellacure, Inc.*, No. C05-1552JLR, 2006 WL 5159198 (W.D. Wash. Aug. 30, 2006)
26 (granting request to exclude insurance coverage); *Batista v. Supreme Alaska Seafood*, No. C04-1851L, 2005 WL
5980048 (W.D. Wash. Oct. 3, 2005) (motion for order prohibiting plaintiff from referring to insurance granted).

E. Excluding All Nonparty Testifying Witnesses.

Pursuant to FRE 615, all nonparty testifying witnesses should be excluded from the courtroom including family members, friends, current or former colleagues, and testifying experts.²

II. CONCLUSION

All parties by and through their counsel respectfully move for entry of the above orders *in limine*.

DATED this 20th day of July, 2020.

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² See *Hopkins v. Integon Gen. Ins. Co.*, No. C18-1723 MJP, 2020 WL 3888253, *3 (W.D. Wash. July 10, 2020)

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~~PROPOSED~~ ORDER

Pursuant to the foregoing Stipulated Motion, IT IS SO ORDERED.

DATED this 6th day of October 2020.



THE HONORABLE JAMES L. ROBERT
UNITED STATES DISTRICT JUDGE